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UNITED STATES DISTRICT COURT
 MIDDLE DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA,
 Plaintiff,

v.

TAMMY R. SMITH,
 Defendant,

and

HURLEY'S SUPER MARKETS, INC.,
 Garnishee.

1:CV-00-1105

(Judge Kane)

FILED
 SCRANTON

SEP 17 2002

PER 4
 DEPUTY CLERK

) APPLICATION FOR WRIT OF
) CONTINUING GARNISHMENT

The United States of America, Plaintiff, makes application in accordance with 28 U.S.C. § 3205(b)(1) to the Clerk of the United States District Court to issue a Writ of Continuing Garnishment upon the judgment entered against the defendant, Tammy R. Smith, Social Security Number 235-96-1227, whose last known address is: 730 W. Grand Avenue, Tower City, PA 17980 in the above cited action. The balance due as of September 17, 2002 is \$4,786.54. Interest accrues at the rate of 6.241% and is compounded annually

Demand for payment of the above-stated debt was made upon the debtor and debtor has failed to satisfy the debt.

The Garnishee is believed to owe or will owe money or property to the judgment debtor, or is in possession of property of the debtor, and said property is a nonexempt interest of the debtor.

The name and address of the Garnishee is:

Hurley's Super Markets, Inc., 387 York Avenue, Towanda, PA 18848

THOMAS A. MARINO
 United States Attorney



J. JUSTIN BLEWITT, JR.
 Assistant U.S. Attorney

CARROLL A. TERRUSO
 Paralegal Specialist

DATE: 9/17/02

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Defendant,

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WRIT OF CONTINUING GARNISHMENT

Greetings to: HURLEY'S SUPER MARKETS, INC.

An application for a Writ of Garnishment against the property of Tammy R. Smith, Defendant, has been filed with this Court. A judgment has been entered against the above-named defendant in the amount of , plus costs and interest.

You are required by law to answer in writing, under oath, within ten (10) days, whether or not you have in your custody, control or possession, any property owned by the debtor, including non-exempt, disposable earnings.

Please state whether or not you anticipate paying the debtor any future payments and whether such payments are weekly, bi-weekly or monthly.

You must file the original written answer to this writ within ten (10) days of your receipt of this writ with the Clerk, United States District Court, 1st Floor, Wm. J. Nealon Federal Building, Scranton, PA 18503. Additionally, you are required by law to serve a copy of this writ upon the debtor and upon the United States Attorney, P.O. Box 309, Scranton, Pa 18501.

Under the law, there is property which is exempt from this writ of Garnishment. Property which is exempt and which is not subject to this order is listed on the attached Claim for Exemption form.

Pursuant to 15 U.S.C. §1674, Garnishee is prohibited from discharging the defendant from employment by reason of the fact that his earnings have been subject to garnishment.

If you fail to answer this writ or withhold property in accordance with this writ, the United States of America may petition the Court for an order requiring you to appear before the Court. If you fail to appear or do appear and fail to show good cause why you failed to comply with this writ, the Court may enter a judgment against you for the value of the debtor's non-exempt property. It is unlawful to pay or deliver to the defendant any item attached by this writ.

By: Mary E. D'Andrea, Deputy Clerk
MARY E. D'ANDREA, CLERK
U.S. District Court